

March 25, 2022

VIA U.S. MAIL AND EMAIL

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Re: *In re The Diocese of Buffalo, N.Y., Debtor (the “Debtor”)*
Chapter 11 Case No. 20-10322 (CLB)

*Motion of Sisters of the Good Shepherd and the Roman Catholic Religious Institute
of the Religious of the Good Shepherd for an Order Enjoining the Continued
Prosecution of a State Court Action in New York Supreme Court, Erie County
Bearing Index No. 801908/2021 [Docket No. 1365]*

Dear Counsel:

We represent the Sisters of the Good Shepherd, *et al.* (the “Movants”), in connection with the above-referenced motion (the “Motion”) which is currently scheduled to be heard on March 28, 2022 at 11:30 a.m.

Movants filed the Motion with the understanding that claims asserted against them in an action entitled *Diana L. O'Hara and Judith Wilcox Halsey v. Sisters of the Good Shepherd (a/k/a Sisters of Our Lady of the Good Shepherd, a/k/a Congregation of Our Lady of Charity of the Good Shepherd); The Roman Catholic Religious Institute of the Religious of the Good Shepherd; Our Lady of Charity Refuge (f/k/a The Asylum of Our Lady of Refuge, a/k/a House of Good Shepherd Convent, a/k/a Sisters of Our Lady of Charity of Refuge, a/k/a Sisters of Our Lady of Refuge); Sisters of Our Lady of Charity, Hamburg, N.Y.* pending in the Supreme Court of the State of New York, Erie County bearing Index No. 801908/2021 (the "State Court Action"), implicated insurance policies of the Debtor in the above-captioned Chapter 11 case as the Movants operated within the Archdiocese of Buffalo at the request and/or with the knowledge and permission of the Diocese. This fact is apparent from listings in the applicable Catholic directories, correspondence between Movants and the Diocese as well as other anecdotal evidence.

Since the Motion was filed, Movants have worked to try and locate applicable insurance policies or other evidence of insurance coverage – especially after learning from the Debtor for the first time that the Debtor's own search has not turned up insurance policies applicable to the any year prior to 1970-1971. Movants' efforts included, among other things, a search of their own archival materials and inquiries with government agencies. As you know, we shared documents unearthed in this process.

Despite Movants' efforts, they have not yet been able to locate insurance policies or evidence of insurance policies in place in 1956, the year in question based on the allegations in the State Court Action. Absent proof of insurance at this time, the Movants have decided to withdraw the Motion, without prejudice, and reserving all rights and will file in the Bankruptcy Court a *Notice of Withdrawal, Without Prejudice and Reserving All Rights, of the Motion of Sisters of the Good Shepherd and the Roman Catholic Religious Institute of the Religious of the Good Shepherd for an Order Enjoining the Continued Prosecution of a State Court Action in New York Supreme Court, Erie County Bearing Index No. 801908/2021*. We ask Debtor's counsel to confirm that the hearing set for Monday, March 28, 2022, is cancelled. To be clear, Movants continue to maintain that in order to operate the Magdalene Laundries under the auspices of the Diocese of Buffalo and the State of New York there must have been insurance in place and they will continue to search for same.

We reserve the Movants' rights in all respects.

Respectfully,

ARCHER & GREINER
A Professional Corporation

By: /s/ Linda Roth

Linda Roth, Esq.

Trevor Prince, Jr., Esq.